

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

VICTORIA BINDAS,

Defendant.

**8:21–CR–98**

**ORDER GRANTING MOTION TO  
WITHDRAW AND DENYING MOTION  
TO REDUCE SENTENCE**

This matter is before the Court on the defendant’s *pro se* Motion to Reduce Sentence, [Filing 93](#), and a Motion to Withdraw filed by the defendant’s counsel, [Filing 97](#).<sup>1</sup> The Office of the Federal Public Defender was appointed to represent the defendant pursuant to General Order No. 2023-09. [Filing 94](#). The purpose of this appointment was to determine whether the defendant qualified “for relief pursuant to either the 2023 U.S. Sentencing Guidelines amendments of U.S.S.G. § 1B1.13 or U.S.S.G. § 1B1.10 providing for the retroactive application of Amendment 821[.]” [Filing 94 at 1](#). The defendant’s counsel has moved to withdraw as counsel because “the Defendant was not assessed any ‘status criminal history points’ in the Presentence Investigation Report and therefore no sentence reduction on this basis is allowed.” [Filing 97 at 1](#). The United States Probation Office also submitted a worksheet in this case which states that the defendant is not entitled to a reduction. [Filing 98](#).

The Court has conducted its own review of the defendant’s *pro se* Motion along with other relevant matters in the record. The Court concludes that the defendant is not entitled to the requested sentencing relief. The defendant’s *pro se* Motion is without merit and will be denied.

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<sup>1</sup> Also pending in this case is a previous Motion to Withdraw, [Filing 95](#), and a Motion to Strike this previous Motion, [Filing 96](#). Because the previous Motion to Withdraw was filed by defense counsel in error, the Court will grant the Motion to strike.

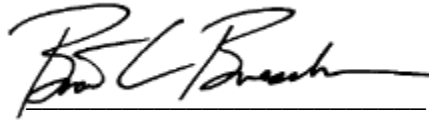
The Court likewise concludes that the Motion to Withdraw should be granted for the reasons set forth in the Motion. Accordingly,

IT IS ORDERED:

1. The Federal Public Defender's Motion to Strike, [Filing 96](#), is granted, and the previous Motion to Withdraw, [Filing 95](#), is stricken;
2. The Federal Public Defender's Motion to Withdraw, [Filing 97](#), is granted; and
3. The defendant's *pro se* Motion to Reduce Sentence, [Filing 93](#), is denied.

Dated this 11th day of March, 2025.

BY THE COURT:

A handwritten signature in black ink, appearing to read "B. C. Buescher", written over a horizontal line.

Brian C. Buescher  
United States District Judge